

Protocol Between the Division of Youth and Family Services and the Division of Law

One of the strong and commendable goals of the Divisions of Youth and Family Services and Law is having a strong working relationship which allows for both divisions to provide quality services to each of their clients, in and out-of-court. There may be times, however, when a dispute arises concerning the best course of action in deciding when and how to litigate a Protective Service or Guardianship matter. In those instances, this protocol should be utilized to avoid confusion. This protocol is not intended to prevent other practical consultation between individuals in both offices (for example, a local office manager reaching out to a DOL & Chief and vice versa), but provides guidance as to decision making authority at different levels in the Division of Law and CP&P/DHS. If everyone agrees that it would be helpful to include other supervisors or managers from DOL or DYSF/DHS, this step is encouraged.

1. Line DAG and CP&P office field and supervisory staff

In instances where there is a disagreement between a Deputy Attorney General ("DAG") and a Caseworker, the two parties will endeavor to work through the disagreement with the caseworker, CP&P Unit Supervisor, CP&P Casework Supervisor, and District Office Manager to reach a mutually agreeable resolution.

2. Assistant Section Chief and CP&P Area Director

If a proper resolution is not reached, the DAG shall notify the Assistant Section Chief that oversees the deputy's assignment and explain the issue. The Assistant Section Chief shall contact the CP&P Area Director, who will have been contacted by the District Office Manager, to discuss the situation and seek a resolution.

3. Section Chief and Deputy Directors of CP&P Operations and Policy

If a proper resolution cannot be achieved, the Section Chief shall contact the appropriate Deputy Director of CP&P. They shall seek to resolve the dispute. The Assistant Attorney General(AAsG) for CP&P and the Assistant Director of Intergovernmental Affairs may be consulted where helpful.

4. AAG and CP&P Assistant Commissioner and Deputy Commissioner (Office of Children's Services)

If a resolution cannot be attained, an AAG shall contact the Assistant Director for Intergovernmental Affairs and the CP&P Assistant Commissioner. These parties will then seek to resolve the dispute. The Deputy Commissioner (OCS) shall be consulted as necessary.

5. AAG for CP&P/DOL Director and Commissioner of DHS

If a resolution is not attained, the Director of the Division of Law or an Assistant Attorney General shall contact the Commissioner of Human Services. These parties will then seek to resolve the dispute. If a resolution cannot be attained, the AAG in charge or Director of the Division of Law shall contact the Attorney General for further direction.

CONCLUSION

Historically, an informal protocol similar to the one described above has worked to generate consensual solutions to all conflicts.